

**CITY OF MORGAN HILL
JOINT MEETING CITY COUNCIL SPECIAL & REGULAR MEETING
AND REDEVELOPMENT AGENCY SPECIAL MEETING
MINUTES - MARCH 20, 2002**

CALL TO ORDER

Mayor/Chairperson Kennedy called the meeting to order at 6:34 p.m..

ROLL CALL ATTENDANCE

Present: Mayor/Chairperson Kennedy, Council/Agency Members Sellers, and Carr
Late: Council/Agency Member Chang (arrived at 6:40 p.m.)
Absent: Council/Agency Member Tate

DECLARATION OF POSTING OF AGENDA

Deputy City Clerk/ Deputy Agency Secretary Malone certified that the meeting's agenda was duly noticed and posted in accordance with Government Code 54954.2

City Council and Redevelopment Agency Action

CLOSED SESSIONS:

City Attorney/Agency Counsel Leichter announced closed sessions items 1-5.

1.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant Exposure to Initiation of Litigation

Authority: Government Code Sections 54956.9(b) & (c)

Number of Potential Cases: 4

2.

**CONFERENCE WITH LEGAL COUNSEL - POTENTIAL AND EXISTING
LITIGATION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Legal Authority: Government Code 54956.8 & 54956.9(a) & (c) (1
potential case)

Real Property(ies) involved: APN 728-31-007 & 008; 25.50 acres located on the
southwesterly side of Cochrane Road (St. Louise Hospital
property)

City Negotiators: Agency Members; Executive Director; Agency Counsel;
F. Gale Conner, special counsel; Rutan & Tucker,
special counsel

Case Name: San Jose Christian College v. City of Morgan Hill

Case Numbers: USDC Northern California No. C01-20857 RMW

Closed Session Topic: Potential Existing Litigation/Real Estate Negotiations

3.

CONFERENCE WITH LABOR NEGOTIATOR

Authority: Government Code Section 54957.6
Agency Negotiators: City Manager; Human Resources Director; City Attorney
Employee Organization: Unrepresented Management Employees
Chief of Police
Director of Business Assistance & Housing Services
Director of Community Development
Director of Finance
Director of Public Works/City Engineer
Human Resources Director
Assistant to the City Manager
Council Services and Records Manager
Recreation Manager

Middle Management - Group 1-B

Police Captain
Deputy Director of Public Works
Deputy City Attorney
Deputy Director of Finance
Chief Building Official
Human Resources Supervisor
Planning Manager
Senior Civil Engineer
Budget Manager
Business Assistance and Housing Services Manager
Police Support Services Supervisor
Senior Planner
Utility Systems Manager
Recreation Supervisor
Secretary to the City Manager
Project Manager

Confidential Non-Exempt Employees - Group 1-C

Administrative Analyst
Legal Secretary
Accounting Technician
Human Resources Assistant

4.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Authority: Government Code section 54956.9(a)
Name of Case: Hacienda Valley Mobile Estates v. City of Morgan Hill et al.
Case No: C 01-20976 PVT, United States District Court, Northern District
of California
Attendees: City Council, City Manager, City Attorney

5.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Authority: Government Code section 54956.9(a)
Name of Cases (3) : Santa Teresa Citizen Action Group et al. v. Environmental Appeals Board of
the United States EPA; Santa Teresa Citizens Action Group et al. v. California Energy Commission;
Santa Teresa Citizens Action Group et al. v. California Energy Commission;
Case No/Court (3) : Ninth Circuit Court of Appeals, No. 01-71611; Sacramento County Superior
Court Civil No. 01 CS 01830; California Supreme Court Case No. S 103019
Attendees: City Manager, City Attorney

OPPORTUNITY FOR PUBLIC COMMENT

Mayor/Chairman Kennedy opened the Closed Session Items to public comment. There being no
public comment, Mayor/Chairman Kennedy closed public comment.

ADJOURN TO CLOSED SESSION:

Mayor/Chairman Kennedy adjourned the meeting to closed session at 6:35 p.m.

RECONVENE:

Mayor/Chairman Kennedy reconvened the meeting at 7:05 p.m.

CLOSED SESSION ANNOUNCEMENT:

City Attorney/Agency Counsel Leichter announced that related to Item 3, Labor Negotiations,
Human Director Fisher (unrepresented Management Employee) and City Attorney Leichter (contract
employee) both had a conflict of interest. However, both participated in closed session discussion.
She also announced that no other reportable action was taken on the above listed closed session
items, and the City Council/Agency Commission would reconvene to conduct closed session
discussions at the conclusion of this evening's agenda.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

At the invitation of Mayor/Chairman Kennedy, Community Development Director David Bischoff

led the Pledge of Allegiance.

PRESENTATION

Chief of Police Galvin announced the special recognition and award to be given to Officers Eric Mosunic and Gary Smith for their outstanding performance in the apprehension of automobile thieves and the recovery of stolen vehicles. The recognition of officers for the apprehension of six or more auto thieves while they are still in the vehicles (known as “rolling stolens”) is a program sponsored by the Automobile Association of American (AAA), and supported by the California Highway Patrol (CHP) and local law enforcement agencies.

Chief Galvin announced that both of these officers have achieved the goal of apprehending six “rolling stolens” in the last year. He introduced Captain Mike Baer from the California Highway Patrol (CHP), and Ms. Irma Catlin from the Automobile Association of American (AAA), who would be presenting an award to these officers for their outstanding police work in “rolling stolens.”

Captain Baer, of the CHP, thanked Chief Galvin and the Council for the invitation to participate in the ceremony this evening. He reported that the CHP is involved in auto theft recovery, and that this is the only crime that has been on the increase in the last year. He stated he was very proud to be here to honor two of Morgan Hill’s finest who are trying to make a difference in this type of crime.

Ms. Irma Catlin, from the Automobile Association of American (AAA), stated that she is also very pleased to be a part of this presentation. AAA has worked very closely with the CHP to reduce auto theft and this award program is a part of that effort. AAA is indebted to law enforcement for their work in reducing the theft of autos. Automobile recovery helps reduce costs for all consumers.

Officer Mosunic and Officer Smith were presented with a plaque and pins by Ms. Catlin, Chief Galvin, and Mayor Kennedy.

Chief Galvin also thanked the officers’ supervisor and team leader, Sergeant Booten, for inspiring them in their fine work.

CITY COUNCIL REPORT

Mayor Kennedy reported on the Santa Clara Valley Transportation Authority (VTA), stating that he completed his term on the Board in December. He thanked Council Member Chang as she had allowed him to pick up her roll on the Advisory Committee on the VTA. One of the programs VTA is working on is community design and transportation. VTA has prepared a draft report which establishes criteria and guidelines to integrate transportation into community planning. This is particularly important at this time as the City plans its downtown area. Some of the guidelines relate directly to downtowns that are located next to transit centers, such as the rail station. He shared this draft report with the other members of the City Council.

Mayor Kennedy reported that he has invited Mike Ivanhoe to make a formal presentation to the full Council, the Planning Commission, and the Architectural Review Board, because there are issues that overlap with planning, downtown design, and community design. He would like to consider a joint workshop with these different bodies to receive this presentation from VTA, and incorporate some of the ideas.

CITY MANAGER'S REPORT

City Manager Tewes noted that this is the night of the spring concert for Britton Middle School band, and he wished them well.

Mr. Tewes reported that the issue of the auto dealerships that the Council considered previously, has generated community response. A number of property owners have expressed interest in being involved in the strategy. He also heard from dealers who expressed interest in the potential of being involved in Morgan Hill. He heard from citizens who suggest that this is an important strategy to add to the City's economic base. In addition, he received feedback from citizens concerned about the possible change in the character of Morgan Hill. He reiterated that the Council adopted a strategy that states that auto dealers will not come unless aggressively sought. A sharing of additional sales tax revenue would be used to attract auto dealerships to Morgan Hill. Also, identified some geographic and zoning locations for dealerships. He stated that the City Council made clear that it was not their intention to change the character of Morgan Hill, but to provide for economic expansion that would be consistent with the character of the community. He did not believe that this would happen quickly and that there probably would not be more than two to three dealerships proposed over the next five years in Morgan Hill. He stated that he wanted to assure the citizens that there would be plenty of time for public input on the matter and that the community character would be taken into account.

CITY ATTORNEY'S REPORT

City Attorney Leichter stated that there was no City Attorney's report to present.

PUBLIC COMMENT

Mayor/Chairman Kennedy opened the floor to public comment for comments not appearing on this evening's agenda. No comments were offered.

City Council Action

Action: *On a motion by Council Member Carr and seconded by Council Member Sellers, the City Council, on a 4-0 vote with Council Member Tate absent, **Approved** Consent Calendar Items 1-13.*

City Manager/Agency Director Tewes requested that he be allowed to make a presentation to the Council regarding Item No. 1.

Mayor/Chairman Kennedy commented on Item No. 5.

1. FEBRUARY 2002 FINANCE AND INVESTMENT REPORT

City Manager/Agency Director Tewes presented a report on the status of the City's revenues and expenditures. He reported that the practices that the Council previously established call for a periodic review of funds management, and monthly reports. He reviewed the history, stating that in October 2001, a decision was made to scale back spending to meet the lower revenue levels that had been caused by the economic recession and the events of September 11, 2001, which contributed to a drop off in the transient occupancy tax revenues.

One of the items the Council had requested staff to scale back was hiring new employees. He provided them with a chart outlining the details of employee hiring and vacancies for the period of June 30, 2001 to date. Only essential positions have been filled.

Mr. Tewes also provided a chart detailing projections of the General Fund balance thru June 30, 2002. He reviewed how the Council had started marking funds to be placed into reserves for special contingencies, such as economic uncertainty, emergencies and natural disasters. The Council also set aside funds for future projects such as the expansion of fire and safety services in the community. He indicated that the current reserve of over \$3 million puts the City in a very strong financial position. The Council's current policy called for reducing spending by 5% to bring spending in line with anticipated reduced revenues. He said that the economy is starting to show signs of improvement, and that the spending has been controlled, leaving the City with a currently anticipated shortfall of about \$300,000 dollars, which can be financed out of the reserves set up for such a contingency. In response to Mayor/Chairman Kennedy's question, he indicated that the City is setting aside \$200,000 for the future fire master plan each year in order to be prepared for the time when the City will need to expand fire safety facilities. He stated he would be bringing a full report to the Council on April 3 which will give priorities and a time line for expenditure of these funds.

Council/Agency Member Sellers thanked staff for their help in implementing the budget reductions and for their hard work in keeping the City's budget in good shape. He stated that he felt that Morgan Hill will be able to weather this financial downturn better than other cities because of good management.

Mayor/Chairman Kennedy commented that the public can be assured that the City is in an excellent financial situation. Reserves represent 60 to 70 percent of the entire General Fund budget, a very healthy reserve. He felt that it was appropriate to use some of the General Fund reserve during these uncertain economic times, but that the city is being prudent and fiscally cautious in managing the City's budget and expenditures, especially in the area of hiring only for positions that are critical.

Council/Agency Member Chang expressed her pleasure that the City has a current deficit of about \$300,000 as a result of a job well done by City staff.

Action: Accepted and Filed Report.

2. CITY OF MORGAN HILL'S COMMUNITY DEVELOPMENT DEPARTMENT'S REQUEST FOR ISSUANCE OF SUBPOENAS FOR WITNESSES AT THE APPEAL OF THE CODE ENFORCEMENT ACTION - 825 LLAGAS ROAD NUISANCE ABATEMENT

Action: City Council Issued Subpoenas to the Following Witnesses to Appear and Testify at the Appeal of the Code Enforcement Action Regarding 825 Llagas Road on April 9, 2002: (a) John Condron (b) Jeanne Condron (c) William McClintock (d) Michael Davis and (e) Peter Anderson.

3. AMENDMENT TO AGREEMENT WITH THE LAW FIRM OF STEPHAN C. VOLKER

Actions: 1) Authorized the City Manager to Execute an Amendment to Agreement with the Law Firm of Stephen C. Volker; and 2) Appropriated \$25,000 from the General Fund to the City Attorney's Budget.

4. AGREEMENT WITH STROMBOTNE LAW FIRM

Action: Authorized the City Manager to Execute Consultant Agreement with the Strombotne Law Firm.

5. COMMUNITY AND CULTURAL CENTER PROJECT FEBRUARY CONSTRUCTION PROGRESS REPORT

Mayor/Chairman Kennedy stated he was pleased with the way the new Community Center is progressing. He has watched the building rise, indicating that it is now possible to get a visual picture of what the Center would look like. He said that he and his wife are excited about the Center because it is a wonderful facility for the community, the community will be pleased to see it come to reality, and that it will be a wonderful addition to the community.

Action: Information only.

6. REJECTION OF BIDS FOR POLYBUTYLENE WATER SERVICE REPLACEMENT PROJECT, PHASE IV

Actions: 1) Rejected All Bids Received on March 7, 2002, for the Replacement of Polybutylene Water Services; and 2) Authorized Staff to Rebid the Project.

7. GENERAL CONTRACTOR QUALIFICATION PROCESS FOR CAPITAL IMPROVEMENT PROJECTS (BUILDINGS)

Action: Information only.

8. MITIGATED NEGATIVE DECLARATION FOR THE EDMUNDSON RESERVOIR

Action: Approved the Mitigated Negative Declaration for the Construction of Edmundson Reservoir.

9. **REJECTION OF BIDS FOR THE MAIN AVENUE WELL DRILLING PROJECT**
Action: 1) Rejected All Bids Received on February 21, 2002, for Construction of the Main Avenue Well Drilling Project; and 2) Authorized Staff to Rebid the Project.
10. **PURCHASE OF PUBLIC WORKS VEHICLES**
Action: Authorized Vehicle Purchases Through the State of California General Services Procurement Process for the Vehicles Identified in Report for a Total Cost of \$45,000.
11. **DEVELOPMENT PROCESSING SERVICES STUDY**
Action: Authorized the City Manager to Execute a Contract with MAXIMUS, Inc. For an Amount Not to Exceed \$50,000, Subject to City Attorney Approval, for the Purpose of Studying the City's Development Processing Services.
12. **CONTRACT FOR CONSULTANT PLANNING SERVICES**
Action: Authorized the City Manager to Execute a Consultant Services Agreement for Contract Planning Services at a Cost Not to Exceed \$60,000.
13. **APPROVAL OF CONTRACT FOR ZONING AND SUBDIVISION ORDINANCE UPDATE CONSULTANT SERVICES**
Actions: 1) Appropriated \$22,750 From the Unappropriated Fund Balance from the Community Development Fund for the Zoning and Subdivision Ordinance Update; and 2) Authorized the City Manager to Execute a Contract in the Amount of \$80,500, Subject to City Attorney Approval, for Contract Consultant Services.

City Council & Redevelopment Agency Action

Action: On a motion by Mayor Pro Tempore/Agency Member Carr and seconded by Council/Agency Member Sellers the Council/Agency Commission, on a 4-0 vote with Council/Agency Member Tate absent, Approved Consent Calendar Items 14 and 15, as follows:

14. **JOINT SPECIAL AND REGULAR REDEVELOPMENT AGENCY MEETING AND SPECIAL CITY COUNCIL MEETING MINUTES FOR FEBRUARY 27, 2002**
Action: Approved the Minutes as written.
15. **JOINT SPECIAL AND REGULAR CITY COUNCIL AND SPECIAL REDEVELOPMENT AGENCY MEETING MINUTES FOR MARCH 6, 2002**
Action: Approved the Minutes as written.

City Council Action

PUBLIC HEARINGS:

16) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ALLOCATION (FY 2002-2003)

Director of Business Assistance and Housing Services Toy presented the staff report and recommended that the public hearing be continued to April 3, 2002.

Council Member Sellers inquired if it was possible to put it on a date other than April 3, since that agenda is getting very full.

Mr. Toy responded that the public hearing could be moved to April 17, should the City Council so direct, noting that the grants need to be allocated by the end of April.

City Manager Tewes agreed that it is good to place this item on a meeting where the public would have enough time to address the issue as there would likely be considerably more requests than there are funds available.

Mayor Kennedy opened the public hearing. No comments being offered, the public hearing was closed.

Action: *On a motion by Mayor Pro Tempore Carr and seconded by Council Member Sellers the City Council, on a 4-0 vote with Council Member Tate absent, **Continued** the Public Hearing to a date determined by staff.*

Redevelopment Agency Action

OTHER BUSINESS:

17. COMMUNITY PLAYHOUSE FINAL DESIGN AND REQUEST FOR BID AUTHORIZATION

Business Assistance and Housing Manager Maskell presented the staff report and reviewed history of funding to date. She requested input from Council on the color schemes being proposed by the architect, and a decision on the chairs being preferred. She indicated that there has been an offer from the City of Campbell for the use of some older chairs that fit the style of this building (cast iron, Craftsman style design). She indicated that there were some serious time constraints in securing these chairs. She informed the City Council that the project is proposed to go out to bid in March, with bids due back in April, and award of bid in May. She further indicated that construction is estimated to take eight months. She introduced Kurt Schindler, project architect.

Mr. Schindler reported that the drawings have been completed for the permit phase and have been reviewed by the appropriate city departments, including the fire department. He said that the building design presented to the Council in October is the one that will go out to bid. He addressed the color schemes chosen for the interior and exterior of the building. He explained that the color schemes are based on the historic colors used in the era of the Craftsman style and that they are in

keeping with the architectural style of the building. Also, the colors are in keeping with the neighboring Community Center building.

In response to Chairman Kennedy's inquiry about the cost of using double pane glass, Mr. Schindler stated that he did not have the cost numbers, but that it would definitely increase the cost. He presented the City Council with three seat options, including the cost to refurbish said seats.

Agency Member Carr expressed concern about the interior colors of the auditorium. Especially, the orange color that might be too bright and pick up too much of the stage light, making the walls glow during a show. He requested that the color be darkened. He also had questions about the color scale being light at the top near the location of the light grid. He expressed concern about reflections interfering with a production.

Mr. Schindler explained that the lightest color on the board is on the ceiling and the quarter ceiling. The open portion of the ceiling will be the dark color and will hide the light grid. He indicated that it would be painted a dark green color.

Vice-chairwoman Chang stated her concurrence with Agency Member Carr's concern relating to the orange color.

Agency Member Carr felt that the orange color would pick up too much stage lighting and recommended that the color be darkened. He stated that he liked the refurbished chair, but is concerned about access to the chairs. He inquired whether there could be a mix of refurbished and new chairs in order to provide for opportunities of accessibility.

Mr. Schindler responded that the seats would be designed with accessibility in mind, including swing away arms. In addition, the first two rows of chairs would be removable for accessibility for wheelchair access and in order to extend the stage area, as needed. He did not recommend mixing new chairs with old chairs.

Agency Member Carr stated that since his concerns regarding the chairs have been addressed, he could support the use of the old chairs.

Mr. Schindler reported that the price for the new or old chairs is basically the same. He indicated that the old chairs will be donated to the City and would be refurbished, noting that refurbishing the chairs would be approximately the same as purchasing new chairs at a cost of approximately \$225/chair whether new or used.

Agency Member Sellers supported the use of the old chairs. He agreed that it made sense to darken the proposed orange walls, but liked the colors overall. He stated that he would like to wait on the installation of the monument sign in order to pursue private funding. He recommended temporary signage to mark the playhouse. He stated it was his understanding that the playhouse was to be completed before the community center, and inquired about the development schedule.

Project Manager Ritter responded that the project was slightly delayed in getting it out to bid. If staff

receives approval to proceed, he felt that the project could be completed in mid-November, which would bring the development schedule in line with the Community Center.

Agency Member Sellers stated that he would like to see the project completed and available for holiday use. If completed by the holidays, it may allow for fundraising activities.

Mr. Ritter informed the Agency Board that the project is proposed to be advertised for bid 3/26/02, returning to the Agency Board award of bid 5/1/02 with a 190-day construction period, if all goes as planned, with the project to be completed by November 16.

Agency Member Sellers inquired whether a statement in the staff report had been omitted relating to the landscaping and the removal of the showers from the project.

Ms. Maskell reported that a small portion of the landscaping was not included in Community Center project, and since that project has already gone to bid, it was included in this project so that the landscaping would be completed. She indicated that the landscaping was overlooked as part of the Community Center because it was located in a section of land that could be considered as "no mans' land." She said that this project has been expanded to include this area of landscaping. She also explained that the area that was originally designated for showers would be turned into additional storage and dressing room area. She stated that plumbing would not be installed, therefore, it would be unlikely that showers would be added. Staff had checked with theater consultants and were told that the storage would be more useful than the showers.

Mr. Schindler stated that rough plumbing for showers could be added as an option if showers are desired.

Agency Member Carr expressed concern with the omission of the landscaping for the community center. He inquired as to why contingency funds were not being used for the landscaping versus charging it to another project.

Community Development Director Bischoff reported that the landscaper made an error, but since the same landscaper would be working on both projects, they would blend the landscape areas for both projects, and include it as part of the bid for this project.

Chairman Kennedy opened the public hearing.

Peter Mandell, South Valley Theater Group, stated that he has provided a lot of input on the project and design to make sure the building is functional for the Theater Group's use. He said that he has had good access to staff and concepts of this project and was thankful for this fact. He indicated that the theater group has provided suggestions of what they would want to have in the theater. One of the suggestions made was the removal of the showers. He indicated that many of the Theater Group ideas have been incorporated, and that they feel the design is functional for their needs.

Chairman Kennedy thanked Mr. Mandell for his comments and for providing input to the design of the project.

Rod Pintello, South Valley Theater Board of Directors, reported that in the past the Theater group sold plaques to raise funds for chairs in other building. He suggested that the City consider selling plaques as a fundraiser to defray the cost of the chairs. He felt that there are a lot of business owners and individuals in the community who would be happy to donate the funds and have their names placed on a chair as it connect them to the theater. He offered his services to help with such an endeavor.

Chairman Kennedy thanked him and asked if he would have someone work with the city staff to accomplish this project.

Executive Director Tewes noted that it might be good to do something to raise funds for an ongoing operating endowment, since that is the greatest need the city has at this time for this project.

Agency Member Sellers stated that he wanted to make sure that any agreement would benefit both the city and the theater group, as well.

Mr. Pintello said he would take the proposal back to his board of directors.

Vice-chairwoman Chang asked Mr. Pintello if a decision had been made on what the first production would be when the theater is opened.

Mr. Pintello replied that the Play Selection Committee would be looking at the production that would be contemplated based on when the doors would be opened.

No further comments being offered, the public hearing was closed.

Agency Member Carr asked what style of loading doors would be installed (e.g., swing-out door or a roll-up door).

Ms. Maskell stated that, for acoustical reasons, the swing out doors had been selected because they provided the best seal against noise.

Agency Member Carr felt that there may be a problem with a swing door and the accommodation of a parked truck.

Mr. Schindler stated that there was enough room to open the doors, and that roll down doors would not be appropriate because they would create a weak link in the building acoustics.

Agency Member Carr asked about the location of the HVAC system, since it was not visible on the drawings the Council received.

Mr. Schindler explained that the HVAC would be hidden over the bathrooms. All mechanical equipment is proposed to be located beneath removable wooden slats that allows access for maintenance. The well ranges in depth between 7 feet down to 4 feet, and completely hides the equipment from the street view.

Agency Member Sellers thanked staff for their report and agreed that the 15% contingency fund for this building is appropriate because it is an older building, and as such, could have a lot of unexpected issues arise.

Action: *On a motion by Agency Member Sellers, seconded by Agency Member Carr, the Agency Board, on s 4-0 vote with Agency Member Tate absent, **Approved** the Final Design for the Community Playhouse; **Approved** the Final Estimated Budget; **Appropriated** an Additional \$193,000 From the Redevelopment Agency's Fund 317; and **Authorized** Staff to Solicit Bids for Construction.*

City Council Action

OTHER BUSINESS

18) PROCESS FOR APPOINTMENTS TO BOARDS, COMMITTEES, AND COMMISSIONS

Council Services and Records Manager Torrez presented the staff report.

Council Member Sellers stated that he felt that the process of using subcommittees to conduct the interviews had merit for some commissions, such as the Measure P sub committee. Others, like Planning Commission, ARB, and Parks and Recreation might be ones that the entire Council would want to interview in an informal setting.

Mayor Pro Tempore Carr stated that if the Council is going to interview any one commission, that it should interview all boards and commissions; not make a distinction of one being more important than another. He felt that there was a difference between a Commission and a task force which has a limited term. Also, he would like to have the interviews take place concurrently to allow the Council the flexibility of making appointments to the commission most suited to the candidates. He felt that this might help fill other vacancies.

Council Member Sellers stated that there would probably be more candidates for the Planning Commission, but that they might also be able to serve on the ARB.

Mayor Pro Tempore Carr reiterated that he prefers an informal interview process to interview all the candidates. The only one he would question is the Mobile Home Rent Stabilization Commission, because he was unsure of their charge. He felt that the City Council could interview all vacancies as there are only 4 or 5 boards/commissions to fill vacancies/

Council Member Sellers stated that he concurs with staff recommendations on this item. He also stated that he would like to have a formalized joint meeting with the Planning Commission, and perhaps other commissions on a periodic basis, but at least once a year. He expressed concern with the divergent courses of the Council and the Planning Commission, and recommended a joint meeting in the near future.

Mayor Kennedy felt that should the Council wish to interview all the candidates for all the commissions, it would take a long time to conduct the interview process. He suggested having the Mobile Home Rent Stabilization Committee be interviewed by sub-committee, because they are so unique in their charge. He felt that the ARB and the Planning Commission have a lot in common, and that it makes sense to interview them together. He noted that the Library and Parks and Recreation are also unique. He did not support conducting a one day interview process. He suggested scheduling the Parks and Recreation and Library interviews at one time, and the ARB and Planning Commission at another time.

Council Member Sellers concurred, stating that this would be fair to the applicants and give them an equitable hearing.

Mayor Kennedy stated that it appears that the consensus is that the full Council will interview candidates for all commissions, except the Mobile Home Rent Stabilization Commission.

Action: *On a motion by Council Member Chang and Seconded by Council Member Sellers, the City Council, on a 4-0 vote with Council Member Tate absent, 1) **Directed** Staff Regarding the Process for Appointments by Either Full Council or Council Subcommittee(s); 2) **Authorized** the City Clerk to Recruit to Fill Planning Commission Vacancy; and 3) **Directed** staff to schedule interviews on the second Wednesdays of the month, commencing at 7:00 p.m.*

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

No items were identified.

RECONVENE TO CLOSED SESSION

Mayor/Chairman Kennedy adjourned the meeting to closed session at 9:07 pm

RECONVENE

Mayor/Chairman Kennedy reconvened the meeting at 10:00 p.m.

CLOSED SESSION ANNOUNCEMENT

City Attorney/Agency Counsel Leichter announced no reportable actions.

ADJOURNMENT

There being no further business, Mayor/Chairman Kennedy adjourned the meeting at 10:01 p.m.

MINUTES RECORDED AND PREPARED BY:

MOIRA MALONE, OFFICE ASSISTANT II